(3)

WP 8952/05
OA 1249/94 (J)

BEFORE THE M.P. STATE ADMINISTRATIVE TRIBUNAL AT JABALPUR.

W.P. No. 955/05

O.A. NO. (249) OF 1994.

APPLICANT :- 1. Kumari Kalpana Tiwari d/o Shri Ravi Shankar Tiwari, aged 28 years, Occupation Teaching, resident of Pande Ashram Ramsaptah Chowk, Bhatapara, District Raipur (M.P.).

VERSUS.

RESPONDENTS :- 1. State of Madhya Pradesh through the Secretary, College Education, Vallabh Bhawan (M.P.).

2. Director, College Education, Directorate of College Education, Satpula Bhawan, Bhopal,

3. Joint Director, College Education, Directorate of College Education, Satpula Bhawzn, Bhopal.

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNAL ACT, 1985.

(42)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 955 of 2005

Petitioner : Kumari Kalpana Tiwari

Versus

Respondents : State of Madhya Pradesh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Awadh Tripathi, counsel for the Petitioner.

Shri Ajay Dwivedi, Panel lawyer for the Respondents/State.

ORAL ORDER

(13th July, 2006)

1. Learned counsel for the petitioner submits that the petitioner was initially appointed as Lecturer in Hindi at the Government College, Bilaigarh Kasdol w.e.f. 10.9.90 for 89 days and his appointment was renewed time and again after a break of one day.

2. Learned counsel for the petitioner further submits that the petitioner made an application in response to the advertisement issued by the respondent/State for emergency appointment on the post of Assistant Professor

3. According to learned counsel for the petitioner, the petitioner was not selected. The petitioner would have been given 50.88 in accordance with the provisions as prescribed on the post of Assistant Professor for emergency appointment.

4. The respondents/State has filed its return stated that the petitioner has received 46.85 percent marks and accordingly he was placed at serial No. 264. The person, who has received 49.84 per cent marks

placed at serial No. 117, was given appointment. Be that as it may, it appears that the petitioner has no right to the appointment on the basis of marks obtained by him. The petitioner at this stage seeks withdrawal of this petition to make a representation for recalculation of his marks, in accordance with law.

5. Learned counsel appearing for the respondents/State has no objection.

6. The petitioner is permitted to make a representation to the respondents/State to consider the case of the petitioner on its own merit, in accordance with law, as expeditious as possible.

7. The petition is accordingly disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu